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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/042,371

12/27/2001

Andrew C. Gilbert

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63710 7590 09/21/2010
INNOVATION DIVISION
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EXAMINER

ONYEZIA, CHUKS N

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

09/21/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ANDREW C. GILBERT and MARY ANN GILBERT

Appeal 2010-012127
Application 10/042,371
Technology Center 3600

Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 13, 2009. A Docketing Notice was mailed on September 21, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

UNDECIDED PETITION

A Petition for extension of time to file the Reply Brief and Request for Oral Hearing was filed on August 23, 2010. However, there is no indication in the record that the Petition was decided.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to have the Petition filed August 23, 2010 decided;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

ELD

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